

剑桥政治思想史原著系列（影印本）

CAMBRIDGE TEXTS IN THE HISTORY OF POLITICAL THOUGHT

僭主政体短论

A Short Discourse on Tyrannical Government

William of Ockham

奥卡姆的威廉

Edited by

ARTHUR STEPHEN

MCGRADY

Translated by

JOHN KILCULLEN

中国政法大学出版社

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*Over Things Divine and Human ,
but Especially Over the Empire
and Those Subject to the Empire ,
Usurped by Some Who Are
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在政治理论领域，“剑桥政治思想史原著系列”作为主要的学生教科丛书，如今已牢固确立了其地位。本丛书旨在使学生能够获得从古希腊到 20 世纪初期西方政治思想史方面所有最为重要的原著。它囊括了所有著名的经典原著，但与此同时，它又扩展了传统的评价尺度，以便能够纳入范围广泛、不那么出名的作品。而在此之前，这些作品中有许多从未有过现代英文版本可资利用。只要可能，所选原著都会以完整而不删节的形式出版，其中的译作则是专门为本丛书的目的而安排。每一本书都有一个评论性的导言，加上历史年表、生平梗概、进一步阅读指南，以及必要的词汇表和原文注解。本丛书的最终目的是，为西方政治思想的整个发展脉络提供一个清晰的轮廓。

本丛书已出版著作的书目，请查阅书末。

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CAMBRIDGE TEXTS IN THE HISTORY OF POLITICAL THOUGHT

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To the memory of
Hilary Seton Offler
peerless contributor to the study of
Ockham's political works

Preface

The following translation is made with the publisher's permission from the Latin text established by Richard Scholz in his *Wilhelm von Ockham als politischer Denker und sein Breviloquium de principatu tyrannico* (Stuttgart: Anton Hiersemann, 1944, 1952). Departures from this text are noted in the Appendix. The aim has been to produce a version faithful in meaning and style, as far as possible in plain modern English. For an explanation of the principles employed in pursuing this aim and for notes on some difficult expressions and passages, see the Appendix.

The present volume, along with its companion volume, William of Ockham, *Selections from the Major Political Works*, is, to our knowledge, the first publication in any modern language of more than a few of the thousands of pages on questions of spiritual and secular power written by one of the major theologians and philosophers of the later middle ages.¹ In contrast with most of the texts translated in the *Selections* volume, the *Breviloquium* or *Short Discourse* is overtly highly polemical. There is accordingly some risk of underestimating the extent to which Ockham built his argument on theological and legal principles which were commonly accepted when he wrote. Many of the notes in the present volume are meant to address this difficulty. Since Ockham is arguing against a pope or, as he thought, a pseudo-pope, his citations of canon law especially need documenting, and these must often be supplemented by consulting the "ordinary gloss," the standard commentary found in the margins of

¹ Ewart Lewis translated some twenty-three chapters of Ockham in her *Medieval Political Ideas*, 2 vols (London, 1954). Francis Oakley contributed four chapters to R. Lerner and M. Mahdi, *Medieval Political Philosophy* (Glencoe, IL, 1966).

medieval and early modern editions of the law texts. References are also given to parallel or contrasting passages in John of Paris, Giles of Rome, and other medieval and early modern authors, especially those available in English. The intention is not to suggest historical influences but to provide comparisons which bring Ockham's meaning into sharper focus. Other notes supply information which may be needed by readers interested in political thought but not familiar with medieval culture or Christian belief; for this, Thomas Aquinas is often cited, not because Ockham was particularly influenced by him but because his works are readily accessible in English. Still other notes are meant to explain Ockham's sometimes cryptic allusions to matters dealt with elsewhere in his own writings. It is hoped that the notes will give readers an assurance that everything in the text is meaningful. Ockham is a careful writer, and the puzzles all seem to have some solution.

The predominantly negative character of the *Short Discourse* also risks leaving the reader with an unduly negative impression of Ockham's political thought as a whole. Ockham's protracted involvement with issues of lay and ecclesiastical government was occasioned by his perception of John XXII and his successors at Avignon as obdurately heretical in rejecting beliefs about the poverty of Christ and the apostles which Ockham himself regarded as solemnly defined Catholic truths. In his nearly twenty years under the protection of Ludwig of Bavaria in Munich, he campaigned relentlessly to unseat these men from their positions of formally supreme power in the Church. Nevertheless, Ockham's political writings, taken together, have been found sufficiently moderate by some scholars to warrant the judgment that he was "a constitutional liberal . . . not an anti-papal zealot." Some of the constructive aspects of his political thought are plainly evident even in the *Short Discourse*, but Ockham as reflective theorist is more adequately represented in *Selections from the Major Political Works*.

With Professor George D. Knysh's kind permission his 1973 University of Manitoba pedagogical translation of the *Short Discourse* has been used freely to correct and improve the present version.

The contributors to this volume have discussed each other's work in detail. We thank Macquarie University and the University of Connecticut for research awards which allowed some of the discussion to be happily *viva voce*. In addition, John Kilcullen, who is responsible for the translation, notes, appendix, and indexes, wishes to thank: the late Professor H.S. Offler for his detailed criticisms of a first draft of the translation and his

kindness in providing a copy of the critical apparatus to his own forthcoming critical edition of the Latin text; Macquarie University for study leave and a research grant; Cambridge University Library for a profitable time spent there; Professor Peter Stein for lighting a path into Roman law; Drs David Howlett and Richard Sharpe for access to the files of *The Dictionary of Medieval Latin from British Sources* and for their advice; and the friendly and efficient staff of the Macquarie University Library, Susan Lee and Marilyn Wagstaff in particular. A.S. McGrade, who is responsible for general editing and the introduction, wishes to thank Marilyn McCord Adams and other members of the Society of Christian Philosophers for comments on an earlier account of the *Short Discourse* and Professor Knysh for his contributions towards correcting and improving the introduction and list of principal dates in Ockham's life.

A.S. McGRADE
JOHN KILCULLEN

A note on references

Most citations are by author's name or short title of the work cited; the full title will be found in the Bibliography beginning on page 193. Books of the Bible are cited according to the Vulgate, the version Ockham used. Biblical names are as in the Douay version, which was translated from the Vulgate. Ockham gives chapter references only; the verse numbers introduced in the sixteenth century have been added. Bible references in square brackets have been added by editors or translator. Chapter numbers have been added to Ockham's citations, by book, of Augustine's *City of God*.

References in the text which include the symbols "q." or "dist." are to material included in the first of the various medieval compilations together sanctioned by Pope Gregory XIII in 1580 as the body of canon law (*Corpus iuris canonici*): the *Decretum* of the twelfth-century Bolognese jurist Gratian. Ockham uses the form "X.," expanded here to *Extra* (the books "outside" the *Decretum*), in citing both the second and third parts of the *Corpus iuris canonici*: the five books of *Decretales* promulgated by Gregory IX between 1230 and 1244, and the additional book of decretals (*Liber sextus*) added by Boniface VIII in 1298. Canon law references are separately indexed on page 211, with volume and column of the standard modern edition of A. Friedberg. Footnote references for both text and gloss are to the edition of Lyons, 1671 (Cambridge University Library).

For explanation of *Auth.*, *Instit.*, *ff.*, and *C.* in citations of Roman civil law, the *Corpus iuris civilis* promulgated in the early sixth century by the emperor Justinian, see the list of abbreviations following. For the *Digest* these references are keyed to the edition of Mommsen and Krueger with the English translation edited by Alan Watson (Philadelphia, 1985). The *Institutes*, *Code*, and *Novels* are cited in the edition of Mommsen, Krueger,

and Schoell (Berlin, 1954), the gloss in the edition of Lyons, 1627. There are many cases in which it is likely that Ockham made use of a gloss without citing it. These are identified in the notes; the word glossed is indicated with the letter "v" (*verbum*).

Cross-references of the form "II.10" are to book and chapter of the *Short Discourse* (Book II, chapter 10). References of the form "39.16" are to page (39) and line (16) of Scholz's edition. The three major parts of Ockham's *Dialogue* are cited in the form "I-III *Dialogue*," with a following Roman numeral (I or II) for the two tracts of Part III and Arabic numerals for book and chapter. Thus, "III *Dialogue* 1.1.7" refers to chapter 7 of Book I of Tract I of Part III. Folio, column, and line numbers in volume I of the 1494 Lyons edition of Ockham's *Opera plurima* (reprinted London, 1962) are added at the end of *Dialogue* references (lines are numbered counting through spaces or small print as if filled with ordinary print). Works thus far published in the Manchester edition of Ockham's *Opera politica* (ed. H.S. Offler and others) are given in accordance with the conventions of that edition. References to *Selections* are to the companion volume to this one, William of Ockham, *Selections from the Major Political Works*.

Abbreviations

<i>AP</i>	Ockham, <i>An princeps pro succursu suo, scilicet guerra, possit recipere bona ecclesiarum, etiam invito papa.</i>
<i>Auth.</i>	<i>Authenticum</i> (= <i>Novellae</i>), part of <i>Corpus iuris civilis</i> .
<i>CB</i>	Ockham, <i>Contra Benedictum</i> .
<i>CI</i>	Ockham, <i>Contra Ioannem</i> .
<i>CM</i>	Ockham, <i>Consultatio de causa matrimoniali</i> .
<i>C., Code</i>	<i>Codex</i> , part of <i>Corpus iuris civilis</i> .
<i>DMLB</i>	R.E. Latham, ed., <i>Dictionary of Medieval Latin from British Sources</i> . “ <i>DMLB</i> files”: the files of the dictionary in its Oxford office.
<i>Extra</i>	The five books of <i>Decretales</i> of Gregory IX and, in Ockham’s references, the sixth book added by Boniface VIII (li. 6, <i>Liber sextus</i>).
<i>ff.</i>	<i>Digesta</i> , part of <i>Corpus iuris civilis</i> .
<i>Gloss</i>	See <i>Corpus iuris canonici</i> and <i>Corpus iuris civilis</i> in Bibliography.
<i>Instit.</i>	<i>Institutiones</i> , part of <i>Corpus iuris civilis</i> .
<i>IPP</i>	Ockham, <i>De imperatorum et pontificum potestate</i> .
<i>Novels</i>	<i>Novellae</i> , part of <i>Corpus iuris civilis</i> .
<i>OLD</i>	P.G.W. Glare, ed., <i>Oxford Latin Dictionary</i> .
<i>OND</i>	Ockham, <i>Opus nonaginta dierum</i> .
<i>OQ</i>	Ockham, <i>Octo quaestiones</i> .
<i>PL</i>	J.P. Migne, ed., <i>Patrologia Latina</i> .
<i>Selections</i>	Ockham, <i>Selections from the Major Political Works</i> .

Introduction

William of Ockham, "the Invincible Doctor," "the More than Subtle Doctor," is a giant in the history of thought. In the later middle ages only Thomas Aquinas and Duns Scotus are of comparable stature. Ockham is, however, a highly controversial giant. By some accounts, his early work in theology and philosophy shattered an admirable synthesis of biblical faith and Greek reason achieved, preeminently by Aquinas, in a preceding golden age of scholasticism. In another view, this same work of Ockham's is a "harvest," not a devastation, of earlier Christian reflection. Ockham thus joins Scotus as a leading figure in the fourteenth-century golden age of Oxford scholasticism. These contrary assessments agree in granting particular significance to Ockham's nominalism and his emphasis on divine omnipotence, but they disagree as to what that significance is. To critics who find Ockham destructive of the Thomistic synthesis, his frequent appeal to the principle that "God can bring about whatever it does not involve a contradiction for God to bring about" seems to menace God's rationality and the intelligibility of the universe. If everything is utterly contingent on God's will, what scope is there for reason, God's or our own? Yet, seen from another angle, the same emphasis on divine power draws a necessary line between subjects which human reason can fruitfully address (the universe God has actually chosen to create) and subjects on which philosophical speculation is largely vain (the divine nature and the things God might have willed but has not). Similarly, Ockham's insistence that universals ("man," "red," "runs," etc.) are terms or "names" (*nomina*), not things (*res*), has been seen both as an attack on the possibility of scientific knowledge and, on the contrary, as a prerequisite for such knowledge.

The preceding disagreements about Ockham involve deep issues in theology, metaphysics, and epistemology. Readers interested primarily in political thought may wish to leave these questions to others. But such disengagement is itself controversial, for it is sometimes held that we cannot really understand Ockham's political ideas except in relation to his "academic" theology and philosophy. The relationship between these two extensive bodies of text is a classic problem. When Ockham's earlier work is seen as relentlessly critical, it is easy to read his polemics against individual popes and his search for a limited conception of papal authority as attacks on Christian society. When, on the other hand, the earlier work is interpreted as constructive, a more positive reading of the political treatises seems plausible. Of course, Ockhamist political treatises such as the present one *can* be read on their own. One must start somewhere. But the larger context of ideas should not be forgotten.

The problem of relating Ockham's academic and political writings is heightened by historical circumstances. He composed the two sets of texts at different times, and his involvement in the issues which occasioned the second, political set was somewhat accidental. Prior to 1324 Ockham wrote nothing on politics. After 1328 he appears (with one relatively minor possible exception) to have written on nothing else. In the intervening four years, he was enlisted in a dispute between the reigning pope and leaders of his own religious order. He then came to associate with a secular ruler who was also deeply at odds with the papacy, the emperor Ludwig of Bavaria. Ockham eventually wrote on fundamental questions in political theory, but his first political engagements were personal, not abstract.

It is unclear what brought Ockham to Avignon, then the seat of the papal court, in the mid-1320s. It has long been thought that he was summoned there to answer charges of heresy lodged by the chancellor of Oxford against theological propositions he had maintained in England, but it is possible that he came to this major center of church life as an expert lecturer rather than a defendant.¹ If Ockham was not a defendant when he arrived in Avignon, he became one before leaving. By the spring of 1328, a commission appointed by the pope to examine his views had found a number of points to condemn. Yet this was not what led him to a career as polemicist and political theorist. As far as is known, nothing

¹ See George Knysh, "Biographical Rectifications Concerning Ockham's Avignon Period," *Franciscan Studies*, 46, Annual 24, 1986:61-91.

came of the commission's report. Ockham's early theological writings were never formally condemned by the papacy, and, indeed, the *via moderna* he inaugurated in these works was a major force in western theology for more than two centuries. The event which changed the direction of Ockham's life was a command from one of his superiors in the Franciscan Order, most likely the Minister General Michael of Cesena, to read a series of recently issued papal bulls on a matter of crucial importance to the friars: the poverty of Christ and the apostles. Michael and other leaders of the order were convinced that "gospel poverty," the ideal which had inspired St Francis and virtually defined the order he founded, involved giving up all legal rights to material things. They contended, furthermore, that this conception of the evangelical ideal was a "Catholic truth" solemnly approved in earlier papal bulls. Finally, they held that John XXII's recent pronouncements (including, for example, his declaration that any allowable use of "things consumable in use," such as food and clothing, involved a legal right to those things) contradicted the earlier teaching. Ockham came to agree. The pope, he thought, had fallen into heresy. Therefore, in 1328 he joined Michael of Cesena and other friars in breaking with John XXII and calling for action against him.

If the Michaelists' appeals against John had succeeded, Ockham's career as a political writer would have ended before it had properly begun, for Franciscans had not previously shown any inclination to criticize the papacy, traditionally their strongest champion, and Ockham, as we have seen, had shown no previous interest in political questions. Despite widespread initial support within the order, however, and a certain amount of sympathy without, the revolt failed.

Nevertheless, Ockham was able to continue writing against John and his successors, Benedict XII and Clement VI, until his death nearly twenty years later. The dissident friars fled from Avignon and took refuge with Ludwig of Bavaria, whom John had excommunicated in 1324 for functioning as Roman emperor without papal approval of his disputed election of 1314. Some of the Michaelists were eventually reconciled with the papacy. The rest, while enjoying the uncertain protection of Ludwig, who was eager for reconciliation but could never negotiate acceptable terms, are said to have written more during their exile in Munich than all previous inhabitants of the city combined.

It seems likely that Ockham came to believe that excessive awe of papal power was at least partly responsible for the lack of effective resistance to John XXII's pronouncements on evangelical poverty. This by itself would